

Date

Terrence Lockett, President
Capitol City Family Health Center
P.O. Box 66156
Baton Rouge, Louisiana 70896-6156

Re: Ethics Board Docket No. 2015-1247

Dear Mr. Lockett:

The Louisiana Board of Ethics, at its January 15, 2016 Board meeting, considered your request for an advisory opinion regarding the post-employment restrictions of Matthew Valliere if he were to terminate his employment with the Office of Public Health (OPH) and accept employment with Capitol City Family Health Center (CCFHC). Mr. Valliere would serve, if hired, as Chief Executive Officer of CCFHC. CCFHC has a contract with OPH through the Center for Community and Preventive Health (CCPH) to provide Women, Infant, and Children's Services (WIC). CCFHC establishes client eligibility, provide nutrition counseling and issues food vouchers to those who meet the eligibility criteria for WIC. The contract between CCFHC and OPH is extended annually based on satisfactory contract performance.

Matthew Valliere is currently employed as the Deputy Director of CCPH within OPH. This is a supervisory position in that he determines work assignments, recommends hiring and promotions, trains staff, reviews and approves work and has eleven direct subordinates. He assists the Director of CCPH, Assistant Secretary, and Chief of Staff in the formulation and interpretation of general policies and organizational structure as it relates to divisional sections, programs areas, and the OPH regional offices; and, participates with other executive staff in assisting OPH administration in the major planning of policies, programs, and organizational structure of the statewide health programs. He provides direct administrative and functional supervision to the program managers directing Maternal and Child Health, Nutrition (WIC), Genetics, Family Planning, Children's Special Health Services, Tuberculosis, Oral Health, HIV/AIDS and Immunizations.

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would prohibit Matthew Valliere from receiving compensation for assisting CCFHC in a transaction, or in appearance in connection with a transaction, in which he participated at any time during his employment with CCPH and involving the State, or rendering any service he had previously performed while employed by CCPH on a contractual basis to, for, or on behalf of CCPH regardless of the parties to the contract for two years following the date of his termination from CCPH. La. R.S. 42:1121B(1) provides that no former employee shall, for two years following the termination of his public employment, assist another person for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed. Mr. Valliere provides direct administrative and functional supervision over the Nutrition division, which includes WIC. As such, he would be prohibited for two years from his termination from CCPH

from receiving any compensation for assistance to any person in any transactions related to WIC or CCPH in which he participated while employed by CCPH.

Further, the Board concluded, and instructed me to inform you, that CCFHC would be prohibited from receiving compensation for assisting another person in a transaction, or in an appearance in connection with a transaction in which Mr. Valliere participated at any time during his public service involving CCPH for two years following his termination from CCPH. La. R.S. 42:1121C provides that no legal entity in which a former public servant is an officer, director, trustee, partner, or employee shall, for a period of two years following the termination of his public service, assist another person, for compensation, in a transaction, or in appearance in connection with a transaction in which such public servant at any time participated during his public service and involving the agency by which he was formerly employed or in which he formerly office.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Brett Robinson
For the Board

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THIS IS NOT AN OPINION OF THE BOARD OF
ETHICS